



**IT IS HEREBY ADJUDGED and DECREED that the
below described is SO ORDERED.**

Dated: September 06, 2012.

Heath

**H. CHRISTOPHER MOTT
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE: § CASE NO. 11-30977-hcm
DHC REALTY, INC. §
§
§
§
§ Debtor. § CHAPTER 11

DHC REALTY, LLC; CHOWAIKI §
HOLDINGS, LLC, EL PASO DHC § Adversary No. 12-03012-hcm
ENTERPRISES, LLC, EL PASO DHC §
ENTERPRISES FAR EAST, LLC, §
EL PASO DHC ENTERPRISES §
WEST, LLC, AND DAVID CHOWAIKI §

Plaintiffs

Y

ARMANDO ARMENDARIZ
YVETTE ARMENDARIZ, AND
HECTOR ARMENDARIZ,
Defendants

3

After considering the Reports of Parties' Planning Meeting filed by the Plaintiffs and Defendants on August 31, 2012 in the above-referenced adversary proceeding, pursuant to Rule 7016 of the Federal Rules of Bankruptcy Procedure ("Bankruptcy Rules"), the Court finds that the following deadlines shall control in this adversary proceeding and that the following Order should be entered.

ACCORDINGLY, IT IS THEREFORE ORDERED ADJUDGED AND DECREED AND NOTICE IS HEREBY GIVEN AS FOLLOWS:

1. By September 30, 2012, any counterclaims by Defendants shall be filed.
2. By September 30, 2012, any pleadings to join additional parties shall be filed.
3. By December 3, 2012, any motion to amend pleadings shall be filed. Leave of Court to file amended pleadings is hereby granted up until November 1, 2012. Notwithstanding the foregoing, prior to 45 days before the deadline for completion of fact discovery, Plaintiffs shall file and serve an amended Complaint ("Amended Complaint") to more specifically set forth the alleged transfers which are the subject of their counts for fraudulent transfers and post-petition transfers, and leave of Court is hereby granted to Plaintiffs file such Amended Complaint, and Defendants shall file an Amended Answer to such Amended Complaint within 14 days after service of such Amended Complaint.
4. By October 31, 2012, authorized representatives of each of the parties and their respective counsel shall conduct an early settlement conference in person and attempt to resolve their disputes.
5. By November 30, 2012, a damages analysis will be provided by any party that has a claim or counterclaim for damages.
6. By November 30, 2012, the parties shall disclose any initial experts and provide the initial expert reports or other statements required by Bankruptcy Rule 7026(a)(2)(A)(B) and (C).
7. By December 31, 2012, the parties shall disclose any rebuttal experts and provide the rebuttal expert reports or other statements as required by Bankruptcy Rule 7026(a)(2)(D)(ii).
8. By February 28, 2013, all fact and expert discovery shall be completed.
9. By March 15, 2013, authorized representatives of each of the parties and their respective counsel shall conduct and have completed mediation before a third party neutral mediator. The parties shall agree on the selection of the mediator, if the parties cannot agree the Court will appoint a mediator at the request of any party. Unless otherwise agreed by the parties, the cost of such mediation shall be shared equally between Plaintiffs and Defendants.
10. By March 15, 2013, any dispositive motions shall be filed.
11. By April 1, 2012, the parties shall file a proposed Pre-Trial Order pursuant to the Local Bankruptcy Rules and the Addendum located in Appendix L-7016-a

of the Local Bankruptcy Rules, and file proposed findings of fact and conclusions of law.

12. Counsel for all parties shall attend and a Pre-Trial Conference/Docket Call is hereby set for April 10, 2013 at 3:00 pm (MT) in the United States Bankruptcy Court, El Paso, Texas.
13. Any interrogatories served by the parties shall be limited to 25 interrogatories.
14. Except for the Pre-Trial Order deadline, mediation deadline, and Pre-Trial Conference/Docket Call date set forth above, the deadlines contained in this Scheduling Order may be extended or modified by a written stipulation signed by all the parties and filed with the Court. Any deadline may be extended or modified by order entered by the Court sua sponte or based on a motion filed by any party and a showing of good cause.
15. In accordance with Local Bankruptcy Rule 7016(b), any responses to motions must be filed within 14 days of the date the motion is filed. If a motion contains 14-day negative notice language as provided for in Local Bankruptcy Rule 7016(b) and 9014, the Court will consider granting the motion without a hearing if no response is filed within 14 days. By stipulation filed with the Court, the parties may agree to extend the deadline for filing responses to a motion. The foregoing does not apply to motions filed under Bankruptcy Rule 7012 or 7056.
16. All deadlines and requirements in the Local Bankruptcy Rules and Addendum located in Appendix L-7016-a of the Local Bankruptcy Rules shall be a part of this Order and shall be adhered to by all parties to this adversary proceeding, unless modified by this Order.
17. The Clerk of the Court shall cause a copy of this Order to be served on all counsel of record in this adversary proceeding.

#

DHC Realty, LLC
Plaintiff

Adv. Proc. No. 12-03012-hcm

Armendariz,
Defendant**CERTIFICATE OF NOTICE**

District/off: 0542-3

User: stephensd
Form ID: pdfintpPage 1 of 2
Total Noticed: 2

Date Rcvd: Sep 07, 2012

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 09, 2012.

NO NOTICES MAILED.

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

ust	E-mail/Text: USTPRegion07.sn.bnc@usdoj.gov Sep 07 2012 23:15:17	United States Trustee - EP12, U.S. Trustee's Office, 615 E. Houston, Suite 533, P.O. Box 1539, San Antonio, TX 78295-1539
intp	+E-mail/Text: ustpregion07.au.ecf@usdoj.gov Sep 07 2012 23:18:42	Valerie Wenger, Office of the U.S. Trustee, 903 San Jacinto Blvd., Suite 230, Austin, TX 78701-2450

TOTAL: 2

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

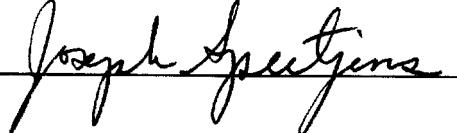
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 09, 2012

Signature:



District/off: 0542-3

User: stephensd
Form ID: pdfintp

Page 2 of 2
Total Noticed: 2

Date Rcvd: Sep 07, 2012

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 7, 2012 at the address(es) listed below:

Corey W. Haugland on behalf of Plaintiff Chowaiki Holdings, LLC chaugland@jghpc.com
Sidney J. Diamond on behalf of Defendant Armando Armendariz usbc@sidneydiamond.com
TOTAL: 2